

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

DANIEL PETRUSKY

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CRIMINAL ACTION

NO. 15-461

ORDER

AND NOW, this 23rd day of May, 2018, upon consideration of Defendant's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. No. 26), the Government's Response (Doc. No. 32), the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. No. 46), Defendant's Objections (Doc. No. 48), and the Government's Reply (Doc. No. 49), it is hereby **ORDERED** that:

1. Defendant's objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. Defendant's Motion to Vacate, Set Aside, or Correct Sentence is **DENIED** with prejudice and **DISMISSED** without a hearing;
4. There is no basis for the issuance of a certificate of appealability; and
5. The Clerk of Court is directed to mark this case **CLOSED**.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.